

PHILLIPS COUNTY



Americans With Disabilities Act (ADA)

Facility Inventory Possible Solutions Implementation Schedule Grievance Procedure Notice

April, 2003

PREFACE

With compliance of the Americans with Disabilities Act (ADA) in mind, the County undertook the Title II Action Guide for State and Local Governments. The Title II regulations prohibit public entities from discriminating against or excluding people from programs, services, or activities on the basis of disabilities. The Title II requirements are very similar to the requirements of the Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination in all entities that receive federal financial assistance. The County personnel followed the ADA Title II Action Guide dated 1992.

The Five Action Steps of this approach were the following:

1. Designate a responsible employee
2. Provide notice of ADA requirements
3. Establishment of grievance procedures
4. Conduct a self-evaluation
5. Develop a transition plan

County Personnel assisted with the development of the transition plan. They were Carol Kienenberger, Troy Blunt and Richard Dunbar.

The transition plan was approved and adopted by the Phillips County Commission on day of _____, 2003.

Richard Dunbar

Troy Blunt

Carol Kienenberger

NOTICE

Phillips County does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Phillips County does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Phillips County's designated ADA Compliance Coordinator.

Name: Carol Kienenberger
Title: Commissioner
Address: 314 South 2nd Avenue West
Malta MT 59538-0360
Phone (406)654-2429
Available 8:00 a.m. to 5:00 p.m.

Individuals who need auxiliary aids for effective communication in programs or services of Phillips County are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available in large print, on audio tape, from the ADA Compliance Coordinator.

Grievance Procedure

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by Phillips County.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Carol Kienenberger, ADA Coordinator
(406)654-2429
314 South 2nd Avenue West, Malta MT 59538

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Phillips County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the Commissioners or their designee.

Within 15 calendar days after receipt of the appeal, the Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the Commissioners or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by ADA Coordinator, appeals to the Commissioners or their designee, and responses from the ADA Coordinator and Commissioners or their designee will be kept by Phillips County for at least three years.

PHILLIPS COUNTY AMERICANS WITH DISABILITIES ACT

FACILITY INVENTORY

COURTHOUSE

The main County Offices are located within the Courthouse located at 314 South 2nd Avenue West in Malta. The following is a list of the offices within the Courthouse: Appraisal, Clerk & Recorder, Clerk of Court, Commissioners, District Judge, Justice of the Peace, Planning Board, Sheriff's Office & Jail, Treasurer, Sanitarian, Superintendent of Schools, Welfare Office and Youth Court Services.

Accessible Approach/Entrances

There is a route of travel that does not require the use of stairs. The route is stable, firm and is at least 36 inches wide. The sidewalks have curb cuts.

Parking

Parking around the Courthouse is parallel parking along the street, and a parking lot. Two handicapped parking spaces have been designated within the parking lot. The international symbol does not include the fine amount.

Entrances:

There are stairs at the main entrance. However, there is a ramp to the basement level. The slope of the ramp is not greater than 1:12. There is a hand railing on one side, which is sturdy and is 32 inches high. There are no signs at the inaccessible entrances indicating the accessible route. The entrance door has 35" clear opening. There is at least 18 inches of clear wall space on the pull side of the door. The threshold is less than 1/4 inch high. The

door handle is no higher than 48 inches and can be operated with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

There is no alarm system. All exits are clearly marked. However, the signs are not in Braille.

Access to Programs/Services

The floor plans are basically the same on each floor. These are the issues that were consistent on each floor.

The entrances into the offices have a direct access from the lobby. The accessible route is at least 36 inches wide. There is adequate maneuvering space. The doors into the public space are at least 32-inches. The doors cannot be operated with a closed fist. However, all the doors remain open during business hours. In the offices, there is adequate floor space for turning a wheelchair. In situations without adequate space, the furniture can be moved to accommodate. Several of the offices have a vault. The doorway into the vault is only 30-1/2 inches. In several of the offices, the counter is higher than 32 inches. The signs designating offices, rest rooms and exits do not have raised letters, Braille and are not mounted at correct height.

Rest Rooms

The public rest room is located on the 1st floor. However, there is no elevator access to the floor. The doorway is 22-1/2 inches. The door handles cannot be operated with a closed fist. There is not adequate maneuvering space within the room. There are grab bars on the side wall nearest the toilet. The toilet seat was lower than 17 inches. There is not a 36-inch wide path to the fixtures. There are no stalls. The lavatory is installed within vanity. The faucet cannot be operated with a closed fist. The soap, hand dryer and mirror are mounted too high.

Amenities

There are no drinking fountains or public telephones.

Elevator

There is no elevator. The accessible route provides access to the basement.

Assisted Listening Systems

TDD capability is available through 711 statewide systems.

1st FLOOR

The offices located on this floor include the Superintendent of Schools, Justice of Peace, Welfare, Sanitarian/Planner, Ambulance and Custodial.

2nd FLOOR

The offices located on this floor include the Clerk & Recorder, Treasurer, Commission and Assessor. The office space on the second floor is not accessible due to the lack of an elevator. Space is available to bring services to the individual.

3RD FLOOR

The offices located on this floor include the District Judge, Clerk of Court, Courtroom and Youth Court Services. The office space on the second floor is not accessible due to the lack of an elevator. Space is available to bring services to the individual.

SHERIFF AND JAIL

The facility is adjacent to the west side of the County Courthouse. The sheriff's office utilizes the same parking lot as the Courthouse.

Entrances

There is a route of travel that does not require the use of stairs. The entrance doors have 34 inches clear opening. There is at least 18 inches of clear wall space on the pull side of the door. The threshold level is less than 1/4 inch high. The door handle is at 41 inches and can be operated with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

The alarms do not have flashing lights. Six smoke alarms are in place.

Access to Programs

The layout of the building allows people with disabilities to obtain materials or services without assistance. The accessible entrances provide direct access to the main floor. All public spaces are on accessible routes. However, the accessible route is only 35 inches wide. There is adequate maneuvering space. The door into the public space has at least 32 inches clear opening. However, the pull side of the door, next to the handle, does not have at least 18 inches of clear wall space. The door can be opened without much force. The door handles are at 41 inches and can be operated with a closed fist. The thresholds level is less than 1/4 inch high. The rooms within the facility are accessible, i.e., adequate maneuvering space, adequate aisles and pathways. The controls are below the maximum height of 54 inches and can be operated with a closed fist. The counter tops are 30 inches and provide adequate knee space. The cells within the jail are accessible. The signs do not comply with the requirements for tactile signage. The tops of the counters are 30 inches high. There is adequate knee space at the accessible tables.

Rest Rooms

At least one rest room is fully accessible. However, there are no signs indicating the accessible restrooms. The doorway is 35 inches. The door handles are 41 inches high. The door can be easily opened. There is adequate maneuvering space. There is at least 36

inch wide path to all the fixtures. There are no stalls or grab bars. The lavatory has adequate clear space in the front. The faucets can be operated with a closed fist. The soap dispenser, hand dryers and mirror are mounted too high.

Amenities

There is no drinking fountain or public telephone within the building.

LIBRARY

The Library is located at 10 South 4th Street East. The library is located on the main floor. The Extension Office and PhillCo Economic Growth Council are located in the basement.

Accessible Approach

The route of travel does not require the use of stairs. The route of travel is stable, firm and is 35 inches wide. There are curb cuts available.

Parking

There is a parking lot on the south side of the building. There is also parking along the street. However, there are no designated handicapped parking spaces.

Entrances

The main entrance is on ground level; hence, it does not require the use of stairs. The south entrance cannot be used by a wheelchair and it does not have signs indicating the location of the nearest accessible entrance. The north entrance door is 35 inches wide. There is at least 18 inches of clear wall space on the pull side of the door. The threshold level is less than 1/4 inch high. The door handle is 40 inches. However, it cannot be operated with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

There are no emergency alarms. The exit signs are not in raised letters or in Braille.

Access to Programs/Services

The accessible entrance provides a direct access to the main floor. The doors into the public spaces have at least 32 inches of clear opening. The pull side of the door, next to the handle, has at least 18 inches of clear wall space. The doors can be operated without too much force. The door handles can be operated with a closed fist. The threshold level is less than 1/4 inch. The rooms and spaces on the first level provide adequate maneuvering space. The aisles between the book shelves do not provide adequate clearance. There are insufficient signs designating rooms and spaces. There is no elevator. Hence, the offices in the basement, including the meeting room, are not accessible.

Rest Rooms

On the main floor, the rest room doorway has 35 inches of clearance. The doors are equipped with accessible handles and can be easily opened. The entry configuration provides adequate maneuvering spaces. There is at least 36 inch wide path to all fixtures.

There are no stalls. Grab bars are installed. The toilet seat is only 15 inches high. The lavatory has adequate clear space in front. The faucets cannot be operated with a closed fist. The soap dispensers, hand dryers and mirror are mounted too high.

Stairs

The treads have a non-slip surface. However, the hand railing does not have extension beyond the top and bottom of the stairs.

Amenities

The spout on the drinking fountain is higher than 36 inches from the ground. The controls are mounted on the front and can be operated with one closed fist. The fountain does not protrude more than 4 inches into the circulation space.

There are no public telephones within the building.

COUNTY ROAD SHOP

The County has three county shops. The shops in Dodson and Saco were built in 1954. The shop in Malta was built in 2000. The facilities are used primarily for storage and maintenance of equipment. The buildings are at ground level.

Accessible Approach

The facility is on ground level. There is a route of travel that does not require the use of stairs. The route of travel is stable, firm and at least 36" wide. There are no curbs. The route to the facility is packed gravel.

Parking

There is no designated handicapped parking.

Entrances

The entrance doors have at least 32 inches of clear opening. There is at least 18 inches of clear wall space on the pull side of the door. The thresholds at the Dodson and Saco shops are 1-1/2 inches high. The door handles are no higher than 48 inches. The doors on the Malta and Dodson shops cannot be opened with a closed fist.

Emergency Egress

None of the shops have emergency alarms.

Access to Programs/Services

The layout of the building allows for people with disabilities to obtain materials or services without assistance. As large shop facilities, once inside there is adequate maneuvering space. The shops have concrete floors.

Rest Rooms

There is one unisex bathroom in each shop. The doorway at the Saco shop has less than 32 inches of clearing. The Saco and Dodson shops do not have adequate maneuvering space. There are no stalls in the restrooms. The Saco and Dodson shops do not have grab bars. The Saco and Dodson shops do not have adequate clear space in front of the lavatories and the faucets can not be operated with a closed fist.

Amenities

There is no drinking fountain or public telephone within the buildings.

FAIRGROUNDS (DODSON)

The fairground has several buildings, barns and a grandstand. The roadway and paths are packed dirt and gravel. Buildings are on one level; hence no stairs are necessary. Doors are at least 32 inches, except on the historic buildings. The doors are open if the building is open to the public. The grandstand has a ground level area for wheelchairs for events.

Restrooms

A new men's restroom was constructed in 2002 and is fully accessible. The women's restroom is accessible in an older building. However, there are no signs indicating the location of the accessible restroom.

PAVILION

The pavilion is located at Highway 2 East. The pavilion is enclosed with a viewing area and wooden bleachers. There is no sidewalk leading to the pavilion.

NURSE'S OFFICE - CLINIC

The facility is located at 105 South 2nd Street East in Malta. The County Nurse and Chemical Dependency offices are located at the facility.

Accessible Approach

There is a route of travel that does not require the use of stairs. The route is stable, firm and is at least 36 inches wide. There are curb cuts.

Parking

There is a small parking lot on the East side of the building, along with street parking. However, there are no designated handicapped parking spaces.

Entrances

The main entrance does not require the use of stairs. The building has a double door entrance. Both doors open to the inside. Because of the lack of space between the two doors, the second door would be more difficult to operate from a wheelchair. The main entrance door has 35 inches of clear opening. There is at least 18 inches of clear wall space on the pull side of the door. The threshold level is less than ½ inch high. The door handle is 35 inches and can be operated with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

The building has no alarm system.

Access to Programs/Services

The accessible entrance provides a direct access to the main floor. The public spaces have an accessible route. The route is 54 inches wide. The doors, into the public space, have 35-inch of clear opening. Of the five rooms, three rooms have at least 18 inches of clear wall space. The door handles are less than 48 inches high but cannot be operated with a closed fist. The rooms and spaces do provide adequate maneuvering space. The counter top is 42 inches high.

Rest Rooms

There is at least one rest room which is fully accessible. The doorway has 35 inches clear opening. The door handles are at 40 inches high and cannot be operated with a closed fist. The doors cannot be opened easily. The entry configuration provides adequate maneuvering spaces. There is a 60-inch wide path to the fixtures. There are no stalls. Grab bars are installed. The toilet seat is 19 inches high. The lavatory has adequate clear space in front. The faucet can be operated with a closed fist. There is no tactile signage identifying the rest rooms.

Amenities

There is no drinking fountain or public telephone within the building.

MUSEUM

The museum is located on Highway 2 East.

Accessible Approach

The route of travel does not require the use of stairs. The route of travel is stable, firm and at least 36 inches wide. There are curb cuts available.

Parking

There are designated handicapped parking spaces. The accessible space is the closest to the accessible entrance. The International Symbol does not have the fine posted.

Entrances

The main entrance is on ground level; hence, it does not require the use of stairs. The entrance door is 36 inches wide. There are at least 18 inches of clear wall space on the pull side of the door. The threshold level is less than 1/4 inch high. The door handle is 45 inches and can be opened with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

There are no alarms.

Access to Programs/Services

The accessible entrance provides a direct access to the main floor. Some of the displays are on the 2nd level. However, there is no elevator available. The doors into the public spaces have at least 32 inches of clear opening. The pull side of the door, next to the handle, has at least 18 inches of clear wall space. The doors can be operated without too much force. The door handles cannot be operated with a closed fist. The threshold level is less than 1/4 inch. The rooms and spaces on the first level provide adequate maneuvering space. However, there are insufficient signs designating rooms and spaces.

Stairs

The treads have a non-slip surface. There are no extensions on the hand railings beyond the top and bottom of the stairs.

Rest Rooms

At least one rest room is fully accessible. The doorway is at least 32 inches. The doors are equipped with accessible handles. The doors can be opened easily. The entry configuration provides adequate maneuvering spaces. There is at least 36 inch wide path to all fixtures. There are no stalls. Grab bars are installed. The toilet seat is 18" high. The lavatory has adequate clear space in front. The faucets can be operated with a closed fist. The soap dispensers, hand dryers and mirror are mounted at the proper height.

Amenities

There is no drinking fountain or public telephone within the building.

FOOD BANK

The Food Bank is located at 133½ South 1st Street West.

Accessible Approach

The route of travel does not require the use of stairs. The route is stable, firm and at least 36 inches wide. There are curb cuts available.

Parking

There is no designated handicapped parking space.

Entrances:

The route of travel does require the use of stairs. There are no ramps into the facility. The entrance door has 40 inches clear opening. There is 24 inches of clear wall space on the pull side of the door. The threshold is 1 inch high. The door handle is 40 inches high and can be operated with a closed fist. The door closer takes at least three seconds to close.

Emergency Egress

No emergency egress system.

Access to Programs/Services

The door into the public space has 31 inches of clear opening. The pull side of the door, next to the handle, has at least 18 inches of clear wall space. The door can be opened

without too much force. The door handle is at 36 inches and can be operated with a closed fist. The threshold level is less than 1/4 inch. There is adequate maneuvering space in the rooms, or the furniture can be rearranged to clear more room. The counter tops are 29 inches high.

Stairs

The stairs are stable, firm and at least 36 inches wide. The stairs have a non-slip surface. There are hand railings on one side.

Rest Rooms

There is only one restroom and it is not accessible. The doorway has 28 inches clearing. The door handles are accessible and can be opened with a closed fist. The door can be easily opened. The entry configuration provides for adequate maneuvering space. There is 36 inch wide path to all the fixtures. There are no stalls. There are no grab bars. The toilet seat is at 15-1/2 inches. The lavatory has adequate clear space in front. The lavatory rim is no higher than 34 inches. The faucet cannot be operated with a closed fist. The soap and hand dryers are within reach ranges. However, the mirror is mounted at 49 inches high.

Amenities

There is no drinking fountain or public telephone.

POSSIBLE SOLUTIONS

COURTHOUSE

Parking - The International Symbol of Accessibility signs should have the fee posted. (Cost \$100)

Entrances - Install signs at the inaccessible entrances indicating the location of the accessible entrance. (Cost \$100)

Program/Services - Access to other floors continues to be problematic. An intercom or phone system could be installed at the entrance to allow individuals to contact anyone on the other floors. Services can then be brought to individuals. Space should be available so meetings could be conducted on the first floor. (Cost \$250). Ideally, an elevator should be installed. The only viable option would be an exterior elevator. (Cost \$300,000 to \$500,000). The offices utilize a vault, which is only 30" in width and cannot be structurally modified. Several of the offices have counters higher than 32 inches. An auxiliary table should be provided.

Egress - When updating the emergency egress system, the system should be updated to accommodate flashing lights and sirens. (Cost \$5,000)

Rest Rooms - The doorways into the restroom cannot be structurally modified. An alternative is to construct one unisex restroom on one of the floors, preferably in the

basement, and install signs indicating the location of the accessible restroom. (Cost \$5,000). If missing, grab bars should be installed in all restrooms (Cost \$100 each).

SHERIFF'S OFFICE AND JAIL

Emergency Egress - When updating the emergency egress system, the system should be updated to accommodate both flashing lights and audible alarms. (Cost \$5,000)

Access to Programs - The proper signage should be installed (Cost \$500).

Restrooms - Signs should be installed indicating the location of the accessible restroom (Cost \$100). Install grab bars. (Cost \$75 each restroom) Lower the soap dispenser, hand dryers and mirror.

LIBRARY

Parking - An accessible handicapped parking space should be designated and the proper signs posted. (Cost \$100)

Entrances - The non accessible entrance (back door) should have a sign indicating the accessible door (Cost \$100). When the door handle is replaced, a hoop handle should be installed.

Access to Programs - The Extension Service and PhillCo are willing to meet with handicapped individuals at different locations. This service should be publicized. Proper signs should be installed indicating the location of exits, restrooms and offices. (Cost \$500). When replacing the faucet or handles, paddle type handles should be installed. Add a raised seat for the toilet. (Cost \$100). Lower the soap dispenser, hand dryer and mirror.

COUNTY SHOP

Parking - An accessible handicapped parking space should be designated and the proper signs posted. (Cost \$100)

Entrances - A ramp over the thresholds at the Saco and Dodson shops should be installed (Cost \$100 each). When the door handles are replaced, the loop or lever handles should be installed.

Rest rooms - Grab bars should be installed at the Saco and Dodson shops. (Cost \$75 each).

FAIRGROUNDS

Parking - An accessible handicapped parking space should be designated and the proper signs posted. (Cost \$100)

Restrooms - Signs should be installed indicating the location of the accessible restrooms.

NURSING OFFICE - CLINIC

Parking - An accessible handicapped parking space should be designated and the proper signs posted. (Cost \$100)

Access to Programs - an auxiliary table should be provided (Cost \$20). When the door handles are replaced, looped or levered handles should be installed.

Bathrooms - When the door handles are replaced, looped or levered handles should be installed. The proper signage should be installed. (Cost \$100)

MUSEUM

Parking - The existing international signs should have the fee posted (Cost \$100).

Access to Services - The proper signs should be installed (Cost \$200).

FOOD BANK

Parking - An accessible handicapped parking space should be designated and the proper signs posted. (Cost \$100)

Entrances - Since the facility requires the use of stairs, perhaps a buzzer can be installed to indicate assistance.

Bathrooms - The doorway into the restrooms should be widened. Grab bars should be installed (\$100). When replacing the faucet handles, the paddle type should be used.